

BEFORE THE APPELLATE AUTHORITY
(Under the Right to Information Act, 2005)
SECURITIES AND EXCHANGE BOARD OF INDIA

Appeal Nos. 6498 & 6499 of 2025

Sanjay Kumar : Appellant
Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed two applications (dated June 13, 2025 and June 14, 2025) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent provided almost identical response [vide letters dated June 30, 2025 and July 10, 2025 respectively] to the applications. The appellant filed appeals (Reg. No. SEBIH/A/E/25/00190 dated July 26, 2025, and Reg. No. SEBIH/A/E/25/00194 dated July 30, 2025) against the aforementioned response. Since the information sought in the applications, the responses thereto and the grounds of appeal are similar, these appeals are taken up together for consideration and disposal. I have carefully considered the application, the response and the appeal and find that the matter can be decided based on the material available on record.
2. **Queries in the applications** - The appellant, in his applications, sought the following information:

No.	Application No.	Information Sought
1.	SEBIH/R/E/25/00757 (addressed to CPIO, CDSL) dated June 13, 2025	1. Whether PAN XXXXXX has any Demat account under CDSL/NSDL
2.	SEBIH/R/E/25/00758 (addressed to CPIO, NSDL) Dated June 14, 2025	2. Depository Participant (DP) Name, DP ID, and contact details 3. Account status (active/dormant/closed)

		4. <i>Date of account opening and last transaction date</i> 5. <i>Complete list of holdings (stocks, bonds, shares, ETFs) with quantities held and Approximate market value (as of latest update)</i> 6. <i>List of transactions in last 3 years (buy/sell history) from April 2021 to present</i> 7. <i>Certified copies of KYC documents</i> 8. <i>Details of account freeze/ closure (if any)</i> 9. <i>Certified statement confirming no other Demat accounts linked to PAN.”</i>
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3. **Reply of the Respondent** –The respondent, in response the applications, informed that the information sought is not maintained by SEBI in normal course of regulation of securities market. Hence, the same is not available with SEBI. Further, with regard to application bearing SEBIH/R/E/25/00758, respondent informed that appellant can contact the CDSL helpdesk for the requested information.
4. **Ground of appeal** – From the perusal of appeals, it appears that the appellant is not satisfied with the response of the respondent.
5. I have perused the applications and the response provided thereto. I note that applications and appeals though filed with SEBI, were addressed to CPIOs and FAAs in CDSL and NSDL. On the context of applicability of the RTI Act to the aforementioned depositories, I note that the Hon’ble Central Information Commission (**CIC**) in its decisions in *Mr. Nayan Bhagvat Prasad Raval vs. CPIO, CDSL* (Date of Decision: 20.02.2017) and *R.J. Uttamchandani Vs National Securities Depository Limited* (Date of Decision: 19.06.2009) has observed that CDSL and NSDL, respectively, are not “public authority” within the meaning under section 2(h) of the RTI Act.
6. Further, I find that similar requests were sought by the appellant in his earlier RTI application (Reg. no. SEBIH/R/E/25/00538) dated April 25, 2025 from SEBI, for which the respondent had already provided the reply vide his letter dated May 08, 2025. I note that in the aforementioned reply, the respondent has clearly mentioned that the requested information is not available with SEBI. Further, FAA

order dated May 23, 2025 is also passed with respect to the said earlier RTI application in Appeal no. 6379 of 2025. Hence, I find that the applications are repetitive in nature. In the context of filing repetitive applications under RTI Act, the Hon'ble CIC in the matter of *Shri Ramesh Chand Jain vs. Delhi Transport Corporation, GNCTD, Delhi* (File No. CIC/AD/A/2013/001326-SA decided on June 25, 2014) held that *"The universal principles of civil justice also recognized 'constructive res judicata', which in the RTI context means when an applicant uses an opportunity of obtaining information on a particular subject as per law, he is expected to seek all the related information in that first ever opportunity itself. He cannot file another application for a bit or piece which he forgot to ask, or not advised by his lawyer, or for any other reason. He should ask all possible aspects of information about that subject matter, in the first ever available opportunity. Even if he does not, it is presumed by law that he asked for that and was refused after due trial..... Thus, once information is given, applicant shall not seek the same once again in the guise of different form or language. If the applicant seeks information again and again, the PIO, the First Appellate Authority and the Commission would be forced to spend their time on this repeated application, and in the process the authorities would lose that much time to address the other RTI applications or performing their general duties in their public office. Repeated RTI applications will amount to clogging the office of public authority and CPIO would be justified in refusing the same with intimation of reasons. Because the repeated RTI application has an effect of clogging the public offices, it would amount to obstructing the free flow of information to deserving and genuine RTI applicants, besides preventing the officers from performing their general duties attached to their office"*.

7. In view of the above observations, I find that there is no need to interfere with the decision of the respondent. The appeals are accordingly dismissed.

Place: Mumbai

Date: August 21, 2025

RUCHI CHOJER

**APPELLATE AUTHORITY UNDER THE RTI ACT
SECURITIES AND EXCHANGE BOARD OF INDIA**